

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT S. McWILLIAMS,

Petitioner,

Vs

9:07-CV-1172

DEBORAH SCHULT, Warden,

Respondent.

APPEARANCES:

OF COUNSEL:

ROBERT S. McWILLIAMS

Petitioner, Pro Se

80189-038

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DAVID N. HURD

United States District Judge

ORDER

Petitioner, Robert S. McWilliams, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Report-Recommendation dated October 27, 2008, the Honorable Victor E. Bianchini, United States Magistrate Judge, recommended that the petition in this matter be denied and dismissed; and further, that a certificate of appealability not issue. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Bianchini, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that the petition is DENIED and DISMISSED in all respects.

A Certificate of Appealability will not be issued.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: November 24, 2008
Utica, New York.